Remarks

Reconsideration and withdrawal of the rejections set forth in the Office Action dated October 2, 2001 are respectfully requested. The applicant petitions the Commissioner for a 2-month extension of time: a separate petition accompanies this amendment.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is/are **captioned "Version with markings to show changes made."**

I.   Amendments

This amendment is in response to the Office Action mailed October 2, 2001. Claims 1-23 were pending in the application. Claims 1-3, 7-8, 11, and 15-16 have been amended. Claims 24-34 have been added. No claims have been allowed.

II.   Rejections under 35 U.S.C. §102(e) and §103(a)

Claims 1-3, 6, 7, 15-18, and 20-23 were rejected under 35 U.S.C. §102(e) as being anticipated by Kleiman, U.S. Patent No. 5,959,945. Claims 1-4, 6, 11-12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over various items and methods the Examiner takes official note of. Claims 1-3, 5-11, and 13-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kleiman, and further in view of Bernstein et al., U.S. Patent No. 6,078,848. Applicants respectfully request reconsideration of the application in view of the amendments.

Kleiman discloses a system for selectively distributing music to a plurality of jukeboxes. Kleiman teaches reproducing and selling songs as virtual electronic titles (VETs). The system is hierarchical, for example, it includes a global distribution platform and regional distribution platforms (see Figure 1). The Kleiman system fundamentally does not teach a jukebox performing music on demand unless the appropriate VET is already stored on the jukebox. The limited capability of the Kleiman system to provide a subset of the available music on demand is achieved by sensing the music demand from the users. The system can sense demand figures and physically place VETs closer to end users who have requested them over time (column 6, line 49-59).

A user of the Kleiman jukebox only sees a "latest" list of available songs that is periodically broadcast. Only titles for which there is sufficient user demand are downloaded (column 8, line 63-column 9, line). Not all of the songs on the list are available to the user. If the user selects an unavailable song, it is downloaded later, for example, in two days. Kleiman does not teach or suggest a workable, economically feasible, true on-demand system in which the user has on-demand assess to a complete list of all available entertainment content.

Bernstein discloses a web browser placed in a kiosk. The web browser includes software that controls the user's access to certain capabilities of the system.

Applicants respectfully submit that the amended claims are not anticipated by the cited references. Applicants further submit that the amended claims would not have been obvious in view of the references, and/or items the Examiner has taken note of, alone or in combination.

For example, amended claim 1 recites a central resource coupled to a wide area network (WAN), wherein the central resource includes a central content storage module that stores entertainment content, including a master list of entertainment content items available through the WAN. In addition, a user, through a user input device and a user interface, views the master list of entertainment content items, and requests an item from the master list. The requested item is stored on the WAN, and the requested item is performed locally in response to the request. Kleiman does not teach or suggest a user being able to access the master list of all songs available on a WAN, or performing any requested item locally, regardless of where it is currently stored, in response to a request of a song from the master list. Applicants respectfully submit that Kleiman teaches away from the system of claim 1 by teaching an elaborate hierarchy of distribution that is completely reactive to analysis of collected data. If Kleiman made all of the songs available on its network available on demand, no such distribution and data collection hierarchy would be necessary. Therefore, Applicants submit that claim 1 is not anticipated by Kleiman.

Applicants respectfully assert that the claimed invention would not have been obvious to one of ordinary skill in view of Kleiman and Bernstein. Bernstein does not add to the deficiencies of Kleiman, as it merely discloses a web browser in a kiosk. In fact, one of ordinary skill would not be motivated to modify or combine Kleiman because Kleiman infers that a cost-effective method for real on-demand performance of songs not locally resident on a jukebox is an unsolved problem.

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Applicants submit that the invention of claim 1 would not have been obvious to one of ordinary skill in view of an IBM PC, IR controlled peripherals, and the provision of entertainment through a LAN or WAN. The combination does not teach or suggest a distributed entertainment system including a central resource as claimed and at least one entertainment unit as claimed. The combination lacks a master list of entertainment content available on the WAN as claimed. Therefore, Applicants submit that claim 1 is patentable over the prior art.

Claims 2-10, and 24-25 are dependent from claim 1 and include further limitations. Therefore, Applicants submit that claims 1-10, and 24-25 are allowable for the reasons given above.

Amended claim 11 includes a network entertainment unit comprising a LAN interface and a WAN interface. The network entertainment unit further comprises a user input device, wherein a user views a master list of entertainment content items stored on the WAN, and requests an item from the master list, wherein the requested item is performed locally in response to the request, wherein it is not required that the selected item is among the entertainment content stored on the local memory device. As discussed above with reference to claim 1, the cited art, alone or in combination, does not teach or suggest a master list of entertainment content items stored on the WAN. The prior art further fails to disclose performing a requested item from the master list locally, wherein it is not required that the selected item is among the entertainment content stored on the local memory device. For these reasons, Applicants submit that claim 11 and it dependent claims are allowable.

Amended claim 16 includes a method for electronic entertainment. The cited art, alone or in combination, does not teach or suggest an entertainment unit or a master list as claimed. The cited art further fails to disclose supplying requested entertainment content from a memory unit on the device, or if the requested entertainment content is not available in the unit, transmitting the request via a LAN, and via a WAN. At least for these reasons, Applicants submit that claims 16-23 are allowable.

New independent claims 26 and 29 include a method and a system, respectively. Applicants submit that claims 26 and 29, and their dependent claims are patentable over the prior art for at least the reasons given with reference to the previous claims.

Claim 26, for example, includes locating the requested content on the network, wherein the requested content is stored in one or more locations comprising a central storage unit and a

local storage unit in the entertainment device, and performing the requested content on the entertainment device, regardless of the location of the requested content.
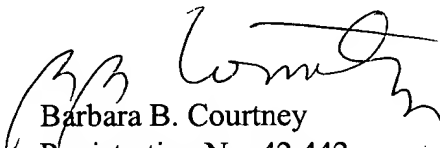
Claim 29 includes a user selecting from a master list, wherein, an electronic entertainment device determines whether the selected entertainment content is stored in the local storage unit; if the selected entertainment content is stored in the local storage unit, the selected entertainment content is performed on the electronic entertainment device from the local storage unit; and if the selected entertainment content is not stored in the local storage unit, the selected entertainment content is requested over the network and performed on the electronic entertainment device when received. Applicants submit that claims 26 and 29, and their respective dependent claims are patentable over the prior art for the reasons previously set forth with reference to claims 1-25.

III.   Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are in condition for allowance. The Examiner is respectfully requested to telephone the undersigned at (650) 838-4407 if any issues remain to be resolved before allowance of the claims.

Respectfully submitted,

Date: 3-4-02

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Figure 8 is a block diagram of an embodiment fo a entetainment unit 1100. User 1002 interacts with user interface 1006. Through the user interface 1006, the user may access a music selection GUI 1040 and game selection GUI 1042, and the web browser 1012. In some embodiments, the user interface 1006 also allows the user to order food, beverages, or any other product or service provided by the venue. In one embodiment, user ID logic 1004 queries the user for ID information, which may be input by using a keyboard or a touchscreen, by providing a thumbprint, or by allowing a photograph of the user's face to be taken. If the user has previously submitted data (such as ID number, thumbprint or facial image) that data is stored along with charge account data for the user. Stored data is compared with currently collected data. If the comparison yields a match, the user is successfully identified and any stored information about the user may be accessed to make the interaction with the entertainment unit faster and more enjoyable. For example, the user may have account information stored that allows the entertainment unit to automatically debit a user account[using] for any charges incurred by the user in the venue using user account logic 1008. The user may also store preferences, such as game and music preferences. The user may also store data that the user wishes to see automatically displayed on the web browser, such as certain news reports and stock quotes.

Figure 9 is a block diagram of hardware and software involved when a music selection is queued over a LAN in one venue in which entertainment using 1204 has resident music functionality, but entertainment unit 1206 does not. Entertainment unit 1204 is coupled to central management resource 102 through the WAN and to the entertainment unit 1206 through the LAN. When a user selects music from the music selector GUI 1202 on the entertainment unit 1206, the request is sent to content management logic 1220 on the entertainment unit 1204. Content management logic 1220 is connected to music information database 1214 also to music queue logic 1222. If the music file storage 1216 includes the selected song, the selected song will be [queue]queued by music queue logic 1222 to be played on the entertainment unit 1204. If

the music file storage 1216 does not include the selected song, content management logic 1220 will communicate to central management resource120 through the WAN in order to queue the selected song from the central management resource120.

1.   (Amended) A distributed entertainment system comprising:

a central resource coupled to a wide area network (WAN), wherein the central resource includes a central content storage module that stores entertainment content, including a master list of entertainment content items available through the WAN;

at least one entertainment unit coupled to the WAN[a wide area network (WAN)], the at least one entertainment unit comprising,

a user interface, comprising at least one graphical user interface (GUI);

a local memory device that stores entertainment content[content comprising music];

a peripheral interface; and

a user input device; and

a plurality of peripheral devices coupled to the at least one entertainment unit via the peripheral interface, wherein a user, through the user input device and the user interface, views the master list of entertainment content items, and requests an item from the master list, wherein the requested item is stored on the WAN, and wherein the requested item is performed locally in response to the request[performs at least one activity from a group comprising,

playing music;

playing electronic games;

viewing television content; and

browsing the Internet].

2.   (Amended) The distributed entertainment system of claim 1, wherein multiple entertainment units are coupled to each other [another] via a local area network (LAN), and wherein one of the multiple entertainment units is coupled to the WAN.

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3.   (Amended) The distributed entertainment system of claim 1, wherein multiple entertainment units are coupled to each other [another] via a local area network (LAN), and wherein each of the multiple entertainment units is coupled to the WAN.

7.   (Amended) The distributed entertainment system of claim 1, further comprising a central management resource coupled to the at least one entertainment unit via the WAN, the central management resource comprising:

a management module that performs administrative functions;

a monitoring module that monitors system components and collects and stores data related to system usage;

[a content storage module comprising stored entertainment content;] and

a content delivery module that controls delivery of entertainment content from the central content storage module to [an] the at least one entertainment unit.

8.   (Amended) The distributed entertainment system of claim 7, wherein the central management resource further comprises:

master content management logic that manages entertainment content in the at least one entertainment unit;

a master activity log that stores data regarding activity of the at least one entertainment unit;

[a master music information database that stores a master list of music available to the at least one entertainment unit;

a master game database that stores information about games available to the at least one entertainment unit;]

a master attract loop database that stores attract loops available to the at least one entertainment unit, wherein each of the attract loops comprise electronic data that may be displayed to show advertisements and activities that are available on the at least one entertainment unit; and

a user database that stores information relating to previously established user accounts.

11. (Amended) A network entertainment unit comprising:

a local area network (LAN) interface through which the network entertainment unit may communicate with similar network entertainment units in a venue;

a wide area network (WAN) interface through which the network entertainment unit may communicate with a central management resource remote from the venue;

a user interface, comprising at least one graphical user interface (GUI);

a local memory device that stores entertainment content[comprising music];

a peripheral interface; and

a user input device, wherein a user, through the user input device and the user interface, views a master list of entertainment content items stored on the WAN, and requests an item from the master list, wherein the requested item is performed locally in response to the request, wherein it is not required that the selected item is among the entertainment content stored on the local memory device[performs at least one activity from a group comprising,

playing music;

playing electronic games; and

browsing the Internet].

15. (Amended) The network entertainment unit of claim 11, wherein the at least one GUI comprises:

a music selection GUI through which the user may choose music from the [a] master list[at the central management resource] to be played in the venue[, wherein it is not required that the selected music is among the entertainment content stored on the local memory device]; and

a game selection GUI through which the user may choose games from the [a]master list[at the central management resource] to be played in the venue[, wherein it is not required that the selected games be among the entertainment content stored on the local memory device].

16. (Amended) A method for electronic entertainment, comprising:

at an entertainment unit in a venue coupled to a local area network (LAN) and a wide area network (WAN), receiving a request for an item of entertainment content from a user, wherein the request includes a selection from a master list of entertainment content stored in at least one location on a network;

supplying the requested entertainment content to the user from a memory device on the entertainment unit, or if the requested entertainment content is not available on the memory device of the entertainment unit;

transmitting the request via the LAN [a local area network (LAN)] to a different entertainment unit in the venue;

supplying the requested entertainment content to the user from a memory device on the different entertainment unit, or if the requested entertainment content is not available on the memory device of the different entertainment unit;

transmitting the request via the WAN [a wide area network (WAN)] to a central management resource remote from the venue; and

supplying the requested entertainment content to the user from a memory device on the central management resource, wherein the entertainment content comprises music and electronic games.